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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,

Plaintiff, Counter-defendant,

v.

APPLE INC.,

Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR-TSH

**DECLARATION OF JOHN I. KARIN IN
SUPPORT OF EPIC'S
ADMINISTRATIVE MOTION TO DEEM
ADMITTED EXHIBITS ON BOX AS
FILED ON THE DOCKET**

Hon. Yvonne Gonzalez Rogers

DECLARATION OF JOHN I. KARIN
Case Nos. 4:20-cv-05640-YGR-TSH

1 I, John I. Karin, declare as follows:

2 1. I am an attorney licensed to practice in the State of New York and admitted to
3 appear before this Court *pro hac vice* in *Epic Games, Inc. v. Apple Inc.*, Case No. 4:20-cv-
4 05640-YGR-TSH. I am an attorney at the law firm of Cravath, Swaine & Moore LLP and am
5 one of the attorneys representing Epic Games, Inc. (“Epic”) in the above-captioned action.

6 2. I submit this declaration in support of Epic’s Administrative Motion To Deem
7 Admitted Exhibits on Box as Filed on the Docket (the “Motion”). The contents of this
8 declaration are based on my personal knowledge. If called to be a witness, I could and would
9 testify competently to the contents of this declaration.

10 3. On January 19, 2022, I emailed counsel for Apple Inc. (“Apple”), requesting
11 that Apple agree to a stipulation to file certain admitted trial exhibits and deposition
12 designations on this Court’s electronic docket because Epic intends to include those exhibits
13 and designations in its appellate excerpts of record.

14 4. On January 20, 2022, I spoke with counsel for Apple, who agreed that admitted
15 trial exhibits and deposition designations are part of the record on appeal, whether or not they
16 are filed on this Court’s docket. Counsel for Apple further indicated that Apple was
17 considering Epic’s proposed stipulation and would respond.

18 5. Given that Epic’s appellate excerpts of record are due today, Epic has filed the
19 Motion in the interests of time.

20 6. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws
21 of the United States of America that the foregoing is true and correct and that I executed this
22 declaration on January 20, 2022, in Geneva, Switzerland.

23
24
25 /s/ John I. Karin
26 John I. Karin
27
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